

OFFICE OF THE FEDERAL DEFENDER

EASTERN DISTRICT OF CALIFORNIA

801 I STREET, 3rd FLOOR

SACRAMENTO, CALIFORNIA 95814

(916) 498-5700 Fax: (916) 498-5710

*Daniel J. Broderick
Federal Defender*

*Linda Harter
Chief Assistant Defender*

October 24, 2007

FILED

OCT 25 2007

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____
DEPUTY CLERK

Ms. Carolyn Phillips
Attorney at Law
P.O. Box 5622
Fresno, CA 93755

Re: **Ronald Garnes v. Lamarque**
Civ.S-03-527-FCD/EFB P

Dear Ms. Phillips:

This will confirm your appointment as counsel by the Honorable Edmund F. Brennan, U.S. Magistrate Judge, to represent the above-named appellant. You are attorney of record until such time as you are relieved or other action is taken to appoint a different attorney.

Enclosed is CJA 20 form, your Order of Appointment and Voucher for services rendered. Also enclosed is an instruction sheet discussing the use of the forms, together with sample forms for reporting court time. This will also provide a uniformity in the way attorneys report their time and services rendered.

If we may be of any further assistance regarding the processing of the enclosed form, preparation of form CJA 21 for expert services, or in reference to any other matter pertaining to this case, please feel free to call upon us at any time.

Very truly yours,


CYNTHIA L. COMPTON
CJA Panel Administrator

:clc
Enclosures

cc: Clerk's Office
Ninth Circuit Court of Appeals

CJA 26. APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL

1. CIR./DIST./DV. CODE 09C	2. PERSON REPRESENTED Garnes, Ronald	VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER Civ.S-03-527-FCD/EPB	5. APPEALS DKT./DEF. NUMBER No.07-15656	6. OTHER DKT. NUMBER
7. IN CASE/MATTER OF (Case Name) Garnes v. Lamarque	8. PAYMENT CATEGORY Appeal	9. TYPE PERSON REPRESENTED Appellant	10. REPRESENTATION TYPE CA

11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, list (up to five) number offenses charged, according to severity of offense.

Appeal from the denial of a habeas corpus

12. ATTORNEY'S NAME (First Name, M.I., Last Name, including any suffix) AND MAILING ADDRESS Carolyn Phillips, Esq. P.O.Box 5622 Fresno, CA 93755 Telephone Number: (559) 248-9933	13. COURT ORDER <input checked="" type="checkbox"/> O Appointing Counsel <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> F State For Federal Defender <input type="checkbox"/> R State For Retained Attorney <input type="checkbox"/> P State For Private Attorney <input type="checkbox"/> Y Standby Counsel Prior Attorney's Name: _____ Appointment Date: _____ <input checked="" type="checkbox"/> I Represent the above-named person represented has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, or <input type="checkbox"/> Other (See last sentence) _____ Signature of Presiding Judicial Officer or By Order of the Court: _____ Date of Order: 10/5/07 Reimbursement or partial reimbursement ordered from the person represented for this service at time of appointment. <input type="checkbox"/> YES <input type="checkbox"/> NO
14. NAME AND MAILING ADDRESS OF LAW FIRM (only provide per instructions)	

	CATEGORIES (Attach itemization of services with dates)	HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH ADJUSTED HOURS	MATH/TECH ADJUSTED AMOUNT	ADDITIONAL REVIEW
IN COURT	15. a. Arraignment and/or Plea					
	b. Bail and Detention Hearings					
	c. Motion Hearings					
	d. Trial					
	e. Sentencing Hearings					
	f. Revocation Hearings					
	g. Appeals Court					
	h. Other (Specify on additional sheets)					
	(Rate per hour = \$ 94) TOTALS:					
OUT OF COURT	16. a. Interviews and Conferences					
	b. Obtaining and reviewing records					
	c. Legal research and brief writing					
	d. Travel time					
	e. Investigative and Other work (Specify on additional sheets)					
	(Rate per hour = \$ 94) TOTALS:					
	17. Travel Expenses (lodging, parking, meals, mileage, etc.)					
	18. Other Expenses (other than expert, transcripts, etc.)					

19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE FROM TO	20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION	21. CASE DISPOSITION
22. CLAIM STATUS <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment Number _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement for this case? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements. Signature of Attorney: _____ Date: _____		

23. IN COURT COMP.	24. OUT OF COURT COMP.	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMT. APPR / CERT
28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER			DATE	28a. JUDGE / MAG. JUDGE CODE
29. IN COURT COMP.	30. OUT OF COURT COMP.	31. TRAVEL EXPENSES	32. OTHER EXPENSES	33. TOTAL AMT. APPROVED
34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) Payment approved in excess of the statutory threshold amount.			DATE	34a. JUDGE CODE

FILED

SEP 04 2007

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

RONALD GARNES,

Petitioner - Appellant,

v.

ANTHONY LAMARQUE; et al.,

Respondents - Appellees.

No. 07-15656

D.C. No. CV-03-00527-FCD/EFB
Eastern District of California,
Sacramento

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

The record reflects that on August 16, 2007 the district court granted appellant's motion to proceed in forma pauperis on appeal.

Appellant's motion for appointment of counsel in this habeas corpus appeal is granted. See 18 U.S.C. § 3006A(a)(2)(B); *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983) (per curiam). Counsel will be appointed by separate order.

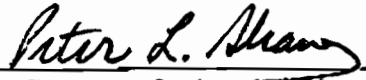
The Clerk shall serve this order on Daniel Broderick, Federal Public Defender, 801 I Street, 3rd Floor, Sacramento, California 95814, who will locate appointed counsel. The district court shall provide the Clerk of this court with the name and address of appointed counsel by facsimile transmission (FAX: (415) 355-8111) within 14 days of locating counsel. The district court shall provide this

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07-15656

court with the name and address of appointed counsel by facsimile transmission (FAX: (415) 355-8111) within 14 days of locating counsel. If new counsel identifies uncertified issues that should be raised on appeal, counsel shall include them in the opening brief as permitted by Ninth Circuit Rule 22-1(e).

The opening brief and excerpts of record are due November 2, 2007; the answering brief is due December 3, 2007; and the optional reply brief is due within 14 days after service of the answering brief.


General Order 6.3(e)